

|  |  |                      |                    |
|--|--|----------------------|--------------------|
| <b>Declaration for Patent Application<br/>English Language Declaration</b> |  | Attorney Docket No.  | 385478008US2       |
|  |  | First Named Inventor | Bennett M. Butters |
| <b>COMPLETE IF KNOWN:</b>  |  |                      |                    |
|  |  | Application No.      | 10/575,182         |
|  |  | U.S. Filing Date     | April 7, 2006      |
|  |  | Art Unit             | Not Yet Assigned   |
|  |  | Examiner             | Not Yet Assigned   |

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR CHARACTERIZING A SAMPLE BY LOW-FREQUENCY SPECTRA**

the specification of which

☐ is attached hereto

OR

☒ was filed on 10/08/2004

as United States Application No. or PCT International Application No. PCT/US2004/033383

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.


I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign applications(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's right certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

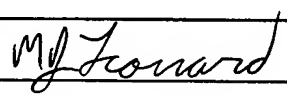
|                   |                    |                        | Priority<br>Not<br>Claimed | Certified<br>Copy<br>Attached |                          |
|-------------------|--------------------|------------------------|----------------------------|-------------------------------|--------------------------|
|                   |                    |                        |                            | YES                           | NO                       |
| _____<br>(Number) | _____<br>(Country) | _____<br>(Filing Date) | <input type="checkbox"/>   | <input type="checkbox"/>      | <input type="checkbox"/> |
| _____<br>(Number) | _____<br>(Country) | _____<br>(Filing Date) | <input type="checkbox"/>   | <input type="checkbox"/>      | <input type="checkbox"/> |
| _____<br>(Number) | _____<br>(Country) | _____<br>(Filing Date) | <input type="checkbox"/>   | <input type="checkbox"/>      | <input type="checkbox"/> |

☐ Additional prior foreign applications are listed on a supplemental data sheet attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

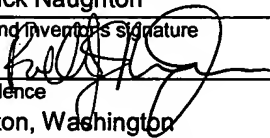
|   |                          |
|---|--------------------------|
| Full name of sole or first inventor<br><b>Bennett M. Butters</b>  |                          |
| Sole or first inventor's signature<br>                                     | Date<br><b>6/20/2006</b> |
| Residence<br><b>Lacey, Washington</b>   |                          |
| Citizenship <b>US</b>   |                          |
| Mailing Address<br><b>3421 Strikes Drive S.E.<br/>Lacey, Washington 98503</b>   |                          |
| <i>Before me appeared Bennett M. Butters<br/>2 - flyline CA Notary Public<br/>Santa Fe County 6/20/2006<br/>Santa Fe, NM exp March 29<sup>th</sup> 2009</i> |                          |

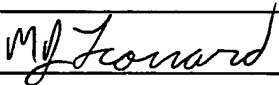
|   |      |
|---|------|
| Full name of second inventor<br><b>Patrick Naughton</b>                         |      |
| Second inventor's signature   | Date |
| Residence<br><b>Clinton, Washington</b>   |      |
| Citizenship <b>US</b>   |      |
| Mailing Address<br><b>4461 East Glendale Road<br/>Clinton, Washington 98236</b> |      |

|   |                             |
|---|-----------------------------|
| Full name of third inventor<br><b>Michael Leonard</b>   |                             |
| Third inventor's signature<br> | Date<br><b>May 30, 2006</b> |
| Residence<br><b>San Diego, California</b>   |                             |
| Citizenship <b>US</b>   |                             |
| Mailing Address<br><b>1775 Diamond Street #133<br/>San Diego, California 92109</b>                                |                             |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|   |      |
|---|------|
| Full name of sole or first inventor<br><b>Bennett M. Butters</b>                  |      |
| Sole or first inventor's signature  | Date |
| Residence<br><b>Lacey, Washington</b>   |      |
| Citizenship <b>US</b>   |      |
| Mailing Address<br><br><b>3421 Strikes Drive S.E.<br/>Lacey, Washington 98503</b> |      |

|   |                        |
|---|------------------------|
| Full name of second inventor<br><b>Patrick Naughton</b>   |                        |
| Second inventor's signature<br> | Date<br><b>6/18/06</b> |
| Residence<br><b>Clinton, Washington</b>   |                        |
| Citizenship <b>US</b>   |                        |
| Mailing Address<br><br><b>4461 East Glendale Road<br/>Clinton, Washington 98236</b>                               |                        |

|   |                             |
|---|-----------------------------|
| Full name of third inventor<br><b>Michael Leonard</b>   |                             |
| Third inventor's signature<br> | Date<br><b>May 30, 2006</b> |
| Residence<br><b>San Diego, California</b>   |                             |
| Citizenship <b>US</b>   |                             |
| Mailing Address<br><br><b>1775 Diamond Street #133<br/>San Diego, California 92109</b>                            |                             |

|  |                       |
|--|-----------------------|
| Full name of fourth inventor, if any<br><b>Demetrios Voreades</b>                  |                       |
| Fourth inventor's signature<br><i>D. Voreades</i>                                  | Date<br><i>8/3/06</i> |
| Residence<br><b>San Diego, California</b>  |                       |
| Citizenship <b>US</b>  |                       |
| Mailing Address<br><br><b>2330 Bancroft Street<br/>San Diego, California 92104</b> |                       |

|   |                        |
|---|------------------------|
| Full name of fifth inventor, if any<br><b>Marcio Calixto de Andrade</b>             |                        |
| Fifth inventor's signature<br><i>Marcio Calixto de Andrade</i>                      | Date<br><i>5/30/06</i> |
| Residence<br><b>San Diego, California</b>   |                        |
| Citizenship <b>US</b>   |                        |
| Mailing Address<br><br><b>3431 Villanova Avenue<br/>San Diego, California 92122</b> |                        |



Express Mail No. EV813998732US  
Docket No.: 385478008US2  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Butters et al.

Application No.: 10/575,182

U.S. Filing Date: April 7, 2006

For: SYSTEM AND METHOD FOR  
CHARACTERIZING A SAMPLE BY LOW-  
FREQUENCY SPECTRA

**POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Nativis, Inc., assignee of the entire right title and interest in the above-identified application by assignment, a copy of which is submitted herewith, hereby appoints the following attorneys and/or agents of the firm of Perkins Coie LLP:

All practitioners at Customer Number 25096.

as its attorneys with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

The assignee certifies that it has reviewed the assignment and to the best of the assignee's knowledge and belief, title is in the assignee.

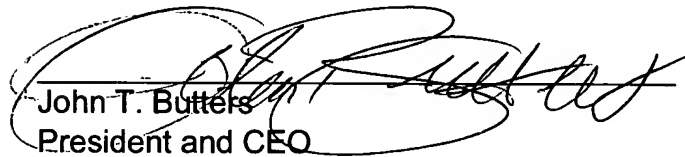
Application No.: 10/575,182

Docket No.: 385478008US2

Please direct all correspondence regarding this application to the following:

PERKINS COIE LLP  
Attn: Christopher J. Daley-Watson  
P.O. Box 1247  
Seattle, Washington 98111-1247  
Telephone: (206) 359-8000  
Fax: (206) 359-7198

For: Nativis, Inc.

  
John T. Butters  
President and CEO

Dated: 5/24/06

## **ASSIGNMENT BY INVENTORS**

This Assignment is by Bennett M. Butters; Patrick Naughton; Michael Leonard; Demetrios Voreades; and Marcio Calixto de Andrade (the "Assignors"), residing at 3421 Strikes Drive S.E., Lacey, Washington 98503; 4461 East Glendale Road, Clinton, Washington 98236; 1775 Diamond Street #133, San Diego, California 92109; 2330 Bancroft Street, San Diego, California 92104; and 3431 Villanova Avenue, San Diego, California 92122, respectively. The Assignors have invented one or more certain inventions (the "Invention(s)") described in a Patent application for which an International Application was filed on October 8, 2004, PCT/US2004/033383, designating the United States.

Nativis, Inc., a Corporation of Washington having its principal place of business at 10975 North Torrey Pines Road, Suite 150, La Jolla, California 92037 ("Assignee"), desires to acquire the entire right, title and interest in and to the Invention(s) and the Application, and in and to any patents (collectively, "Patents") that may be granted for the Invention(s) in the United States or in any foreign countries.

For valuable consideration, the receipt and sufficiency of which Assignors acknowledge, Assignors hereby sell, assign, and transfer to Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to: the Invention(s), the Application, and any Patents; any divisions, continuations, and continuations-in-part of the Application and any other application claiming priority rights from the Application; any reissues, reexaminations, or extensions of any and all Patents; the right to file foreign applications directly in the name of Assignee; and the right to claim priority rights deriving from the Application (collectively, the "Rights"). Assignors warrant that Assignors own the Rights, and that the Rights are unencumbered. Assignors also agree to not sign any writing or do any act conflicting with this assignment, and, without further compensation, sign all documents and do such additional acts as Assignee deems necessary or desirable to: perfect Assignee's enjoyment of the Rights; conduct proceedings regarding the Rights, including any litigation or interference proceedings; or perfect or defend title to the Rights. Assignors request the Commissioner of Patents to

issue any Patent of the United States that may be issued on the Invention(s) to Assignee.  
This Assignment may be executed in counterparts.

  
Bennett M. Butters

Date: 6/20/2006

United States of America )  
State of \_\_\_\_\_ ) ss.:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2006, before me  
personally came Bennett M. Butters, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.

\_\_\_\_\_  
Notary Public



~~Patrick Naughton~~

United States of America )  
State of \_\_\_\_\_) ss.:  
County of \_\_\_\_\_)

**Notary Public**

Michael Leonard  
Michael Leonard

Date: May 30, 2006

United States of America )  
State of \_\_\_\_\_ ) ss.:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2006, before me  
personally came Michael Leonard, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.

\_\_\_\_\_  
Notary Public

D. Voreades

Demetrios Voreades

Date: 8/3/06

United States of America )  
State of \_\_\_\_\_ ) ss.:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2006, before me  
personally came Demetrios Voreades, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.

\_\_\_\_\_  
Notary Public

Marcio Calixto de Andrade  
Marcio Calixto de Andrade

Date: 5/30/06

United States of America )  
State of \_\_\_\_\_ ) ss.:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2006, before me  
personally came Marcio Calixto de Andrade, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.

\_\_\_\_\_  
Notary Public